

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Charles Becoat,

Plaintiff

v.

Nevada NDOC, et al.,

Defendants

2:15-cv-02145-JAD-CWH

**Order Denying Motion to Vacate  
Dismissal**

[ECF 12]

On December 21, 2015, Magistrate Judge Hoffman ordered the Clerk of Court to close this case in light of plaintiff's filings in case 2:15-cv-2272-GMN-GWF, which revealed that this case was opened in error.<sup>1</sup>

On April 12, 2016, plaintiff filed a motion to vacate dismissal and listed three case numbers in the caption: 2:15-cv-2272-GMN-GWF, 2:15-cv-2144-JCM-PAL, and 2:15-cv-2145-JAD-CWH. However, plaintiff's motion appears to be directed at case 2:15-cv-2272-GMN-GWF because that case number is written on the top of each page.<sup>2</sup> In the motion, plaintiff states that he did send the financial certificate to the court but that the court never received it.<sup>3</sup>

I deny plaintiff's motion to vacate dismissal in this case because plaintiff's motion is clearly directed at 2:15-cv-2272-GMN-GWF. In that case, Magistrate Judge Foley twice denied plaintiff's application to proceed *in forma pauperis* as incomplete and directed him to file a completed application.<sup>4</sup> When plaintiff failed to file a completed application, Judge Navarro dismissed his case for failing to do so.<sup>5</sup> And plaintiff has an identical motion to vacate dismissal pending in that case.

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<sup>1</sup> ECF No. 5.

<sup>2</sup> *Id.* at 1–12.

<sup>3</sup> *Id.* at 1–2.

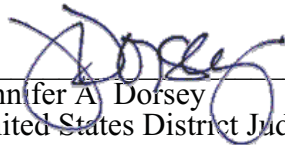
<sup>4</sup> 2:15-cv-2272-GMN-GWF, ECF No. 2, 9.

<sup>5</sup> *Id.* at ECF No. 10.

**Conclusion**

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to vacate dismissal [ECF 5] is **DENIED**. This case is closed and no further filings will be entertained.

Dated April 20, 2016.

  
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Jennifer A. Dorsey  
United States District Judge